

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOHN DOE,

Plaintiff,

-against-

ALEYA A. KUSUM, ALI SHARIFF, WELLS  
FARGO BANK, NA, AND NEW YORK CITY,

Defendants.  
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**SUMMARY ORDER**

07 Civ. 8479 (AKH)


ALVIN K. HELLERSTEIN, U.S.D.J.:

By papers dated October 3, 2007, Plaintiff moves for an order pursuant to Rule 65, Fed. R. Civ. P., preliminarily enjoining Defendant New York City to abate alleged violations of New York City Administrative Code §§ 10-155, 10-156 and/or §§ 7-701 et seq. at the building located at 546 West 148th Street, New York, New York, and to post at least one uniformed police officer there at all times, pending abatement of the alleged nuisance at the address. Plaintiff further moves that Defendants Kusum, Shariff and Wells Fargo Bank, NA, to cooperate with Defendant New York City to achieve closure of the building and repair all dangerous conditions affecting the plant at that location.

For the reasons stated on the record, I deny Plaintiff's motion for preliminary injunction, without prejudice, as to all Defendants. I further order that the parties begin discovery proceedings at this time and return to the Court for a status conference on December 14, 2007 at 9:30 a.m.

SO ORDERED.

Dated: October 17, 2007  
New York, New York

  
ALVIN K. HELLERSTEIN  
United States District Judge